IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10337 of 2005

Between:

Niamatulla Shareef, S/o. Maqbool Shareef,
r/o. 7-2-61, Sitarampet, Tandur, R.R.District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Tandur Mandal, R.R.District.
2 The Collector, R.R.District, Lakdikapul, Hyderabad.
3 The Asst. Director, Mines & Geology, Tandur, R.R.District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the first respondent in issuing the impugned order bearing proceedings No.B/251/2005, dt. 7.4.2005 seeking to resume my land admeasuring 2.00 Acres in Survey No.129 Ogipur Village, Tandur Mandal, R.R.District. as arbitrary and illegal and set aside the same.

Counsel for the Petitioner: MR.S.SATYAM REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed questioning the order dated 07-04-2005 passed under A.P. Assigned Lands (Prohibition of Transfer) Act, 1977 thereby resuming the land in possession of the petitioner.

Though the learned counsel for the petitioner raised various contentions, I am not inclined to express any opinion since against the impugned order dated 07-04-2005 an efficacious alternative remedy of appeal is available under the Act.

Accordingly, granting leave and liberty to the petitioner to workout alternative remedy, the writ petition is disposed of. However, having regard to the facts and circumstances of the case, there shall be a direction that status quo obtaining as on today as to the nature and possession of the land in question shall be maintained for a period of four weeks from today.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 28-04-2005

Note: Furnish C.C. in two days.

B/o.

LSK

To

1 The Mandal Revenue Officer, Tandur Mandal, R.R.District.
2 The Collector, R.R.District, Lakdikapul, Hyderabad.
3 The Asst. Director, Mines & Geology, Tandur, R.R.District.

4 Two C.Cs. to the G.P. for Revenue, High Court buildings, Hyderabad. (OUT)

5 Two C.D. copies.